

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1226

Introduced by Assembly Member Huber

February 27, 2009

~~An act to amend Section 37254.1 of the Education Code, relating to supplemental instruction. An act to amend Sections 52517 and 78401 of the Education Code, relating to education.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1226, as amended, Huber. ~~Supplemental instruction. Workplace learning.~~

Existing law prohibits a high school or unified school district from reporting for state apportionments average daily attendance in classes that are not located in facilities clearly identified in a manner and established by appropriate procedures to ensure that attendance in the class is open to the general public, except as specified.

This bill would allow a school district to report for state apportionments average daily attendance in classes that are not open to the general public if the classes are held in the workplace, are intended primarily to help pupils with attainment of a General Education Development (GED) credential or high school diploma, and are offered by an employee of the district appropriately credentialed for the course being offered. This bill would also authorize the State Board of Education to adopt regulations necessary to enforce these provisions.

Existing law authorizes the governing board of a community college district to establish and maintain classes for adults also open to any minors who, in the judgment of the governing board, may be qualified for admission thereto.

This bill would provide, however, that when a class is held in the workplace and is intended to assist pupils with attaining a GED credential or high school diploma, admission to the class may be limited to employees at the worksite.

~~Existing law requires the governing board of each school district maintaining any or all of grades 2 to 9, inclusive, to offer, and authorizes a charter school to offer, programs of direct, systematic, and intensive supplemental instruction to pupils enrolled in grades 2 to 9, inclusive, who have been recommended for retention or who have been retained, and authorizes a school district or charter school to require a pupil who has been retained to participate in supplemental instructional programs. Existing law authorizes the Long Beach Unified School District or any other school district to require pupils, who are identified pursuant to a policy adopted by the governing board of the school district at a regularly scheduled board meeting, to participate in those supplemental instructional programs.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 52517 of the Education Code is amended
- 2 to read:
- 3 ~~52517. No high school or unified school district shall report~~
- 4 ~~for state apportionments average daily attendance in classes: (1)~~
- 5 ~~if the district receives full compensation for such class from any~~
- 6 ~~public or private agency, individual or group of individuals, except~~
- 7 ~~fees authorized by Section 52612; or (2) if such~~
- 8 52517. (a) A high school or unified school district shall not
- 9 report for state apportionments average daily attendance in classes
- 10 in any of the following circumstances:
- 11 (1) The district receives full compensation for the classes from
- 12 any public or private agency, individual, or group, except fees
- 13 authorized by Section 52612.
- 14 (2) The classes are not located in facilities clearly identified in
- 15 ~~such~~ a manner, and established by appropriate procedures, to ~~insure~~
- 16 ensure that attendance in ~~such~~ the classes is open to the general
- 17 public, except those authorized pursuant to Section 52570 and

1 those in state hospitals. ~~The State Board of Education may adopt~~
2 ~~such regulations as may be necessary to enforce this section.~~

3 *(b) Notwithstanding paragraph (2) of subdivision (a), a school*
4 *district may report for state apportionments average daily*
5 *attendance in classes that are not open to the general public if the*
6 *classes are held in the workplace, are intended primarily to help*
7 *pupils with attainment of a General Education Development (GED)*
8 *credential or high school diploma, and are offered by an employee*
9 *of the district appropriately credentialed for the course being*
10 *offered.*

11 *(c) The state board may adopt regulations necessary to enforce*
12 *this section.*

13 *SEC. 2. Section 78401 of the Education Code is amended to*
14 *read:*

15 78401. (a) The governing board of ~~any~~ a community college
16 ~~district shall have power~~ may, with the approval of the board of
17 governors ~~to~~, establish and maintain classes for adults for the
18 purpose of providing instruction in civic, vocational, literacy,
19 health, homemaking, technical and general education.

20 (b) Classes for adults shall conform to any course of study and
21 graduation requirements otherwise imposed by law or under the
22 authority of law.

23 (c) Classes for adults shall be open for the admission of adults
24 and of any minors who, in the judgment of the governing board,
25 may be qualified for admission thereto. *However, when a class is*
26 *held in the workplace and is intended to assist pupils with attaining*
27 *a General Education Development (GED) credential or high school*
28 *diploma, admission to the class may be limited to employees at*
29 *the worksite.*

30 (d) The board of governors shall establish standards, including
31 standards of attendance, curriculum, administration, and guidance
32 and counseling service for classes for adults as a basis for the
33 several apportionments of state funds provided herein for the
34 support of these classes.

35 (e) The governing board of any community college district
36 maintaining an adult school shall prescribe the requirements for
37 the granting of diplomas.

38 ~~SECTION 1. Section 37254.1 of the Education Code is~~
39 ~~amended to read:~~

1 ~~37254.1. (a) Notwithstanding any other provision of law, a~~
2 ~~school district may require pupils, identified pursuant to a policy~~
3 ~~adopted by the governing board of the school district at a regularly~~
4 ~~scheduled board meeting, to participate in any one of the following~~
5 ~~programs:~~
6 ~~(1) Supplemental instruction as described in Section 37252.~~
7 ~~(2) Supplemental instruction as described in Section 37252.2.~~
8 ~~(3) Supplemental instruction as described in Section 37252.8.~~
9 ~~(4) Supplemental instruction as described in Section 37253.~~
10 ~~(b) The school district shall provide a mechanism for a parent~~
11 ~~or legal guardian to decline to enroll his or her child in a program.~~
12 ~~(c) Attendance in a program is not compulsory within the~~
13 ~~meaning of Section 48200.~~